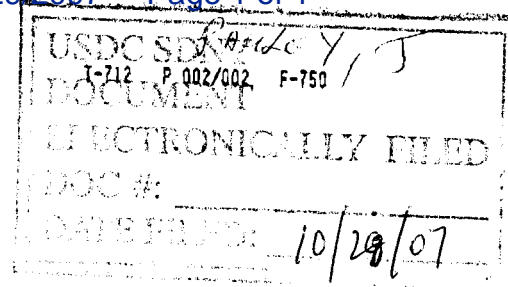


Oct-22-07 04:41pm From-Kennedy, Jennik & Murray, P.C

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ERIC SCHERZER, as Trustee of the
VOLUNTARY HOSPITALS HOUSE STAFF
BENEFITS PLAN,

Plaintiff,

-against-

CARITAS HEALTH CARE, INC.,

Defendant.

07 CIV. 7005 (WHP)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for Plaintiff, Eric Scherzer, as Trustee of the Voluntary Hospitals House Staff Benefits Plan, and Defendant, Caritas Health Care, Inc., that the time for Defendant to answer, move or otherwise respond to the Complaint in the above-captioned action be, and the same hereby is, extended through and including November 5, 2007.

Dated: New York, New York
October 22, 2007

KENNEDY, JENNIK & MURRAY, P.C.

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SO ORDERED:

WILLIAM H. PAULEY, U.S.D.J.

10/29/07